

HOUSE BILL 427

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1lr1842

By: **Delegate Dumais**

Introduced and read first time: February 4, 2011

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Family Law – Child Support Guidelines – Child Care Expenses**

3 FOR the purpose of requiring that certain expenses incurred on behalf of a child due to
4 the training or education of either parent necessary to obtain a job or enhance
5 earning potential of the parent be added to the basic child support obligation
6 and divided by the parents in proportion to their adjusted actual incomes under
7 the child support guidelines; prohibiting child care expenses due to the training
8 or education of either parent from exceeding a reasonable length of time; and
9 generally relating to child support obligations.

10 BY repealing and reenacting, with amendments,
11 Article – Family Law
12 Section 12–204(g)
13 Annotated Code of Maryland
14 (2006 Replacement Volume and 2010 Supplement)

15 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
16 MARYLAND, That the Laws of Maryland read as follows:

17 **Article – Family Law**

18 12–204.

19 (g) (1) Subject to paragraphs (2) [and], (3), AND (4) of this subsection,
20 actual child care expenses incurred on behalf of a child due to **THE** employment [or],
21 job search, **OR TRAINING OR EDUCATION REASONABLY NECESSARY TO OBTAIN A**
22 **JOB OR ENHANCE THE EARNING POTENTIAL** of either parent shall be added to the
23 basic obligation and shall be divided between the parents in proportion to their
24 adjusted actual incomes.

25 (2) Child care expenses shall be:

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (i) determined by actual family experience, unless the court
2 determines that the actual family experience is not in the best interest of the child; or

3 (ii) if there is no actual family experience or if the court
4 determines that actual family experience is not in the best interest of the child:

5 1. the level required to provide quality care from a
6 licensed source; or

7 2. if the obligee chooses quality child care with an actual
8 cost of an amount less than the level required to provide quality care from a licensed
9 source, the actual cost of the child care expense.

10 (3) Additional child care expenses may be considered if a child has
11 special needs.

12 (4) **CHILD CARE EXPENSES ASSOCIATED WITH TRAINING OR**
13 **EDUCATION UNDER PARAGRAPH (1) OF THIS SUBSECTION MAY NOT EXCEED A**
14 **REASONABLE LENGTH OF TIME.**

15 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
16 October 1, 2011.